

A
Second LETTER
TO A
MEMBER
OF
PARLIAMENT,
CONCERNING
The Present State of Affairs.

WHEREIN

All that has been written against the former, is fully refuted; and the POSITIONS therein laid down, with Respect to the Right of Instructing Members, &c. are further explained and supported from Reason, Law and History.

Inertis est nescire quod sibi liceat.

L O N D O N:

Printed for T. COOPER, at the Globe in Pater-
Noster-Row, 1741.

*See the first Letter at the
end of this*

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*See the first (3) Letter at the
end of this*

A
Second LETTER
TO A

MEMBER OF PARLIAMENT, &c.

S I R,



THE Epistle I lately wrote you hath drawn upon me such a Torrent of Scurility, that I find it not expedient only, but necessary, to trouble you once again. My former came unexpected, whereas this, I dare say, will be expected some Time before it comes. You are too jealous of your own Reputation, to believe that any Man, endued with a Portion of common Sense, could sit down tamely under such Treatment; alike inexcusable and undeserved. The Man who scatters Abuse may well enough sustain it, but for a Writer who avoided, with so much Care as I did, all Reflexions that could be deemed Personal, to be painted out as a Distributer of Poison*, as a professed Sycophant†, and a mercenary Libeller‡, must give him Pain, though published in Papers wrote for Bread.

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That

* Common Sense, *Saturday, January 3, 1741.* † Craftf-
man, *January 10, 1741.* ‡ Common Sense, *Saturday, Ja-
nuary 10, 1741.*

That these People have altogether mistaken my Design, yourself, and every impartial Reader, must allow. They do me the Honour to assign me great Patrons and able Instructors, who, as they would persuade the World, engaged me to sit down and pen Series of Falshoods, in order to impose upon my Countrymen; whereas I am no more than a poor, plain *Briton*, fond of pursuing Truth, and fearless of the Consequences which may attend that Pursuit. I thought there were some Things which I could place in such a Light, as might deserve your Eye, and that of the Publick. I thought the Liberty of the Press consisted in a Licence to write any thing consistent with the Laws, without suffering either in one's Person or Character. I thought that such as were Champions for this Liberty, would have been tender of treating any one ill, for making Use of it. But, to my Cost, I find I am mistaken; for the same worthy Gentleman who calls me Sycophant without Cause, would questionless, were he Secretary of State, send me to Goal without a Reason.

But, supposing that I had been endowed with so much Meekness of Spirit, as would have enabled me to have born the Buffetings of the Patriots with Patience; yet, certainly in so doing I should have betrayed the Cause of Truth: I should have sunk below the Character of a Freeholder, and have left my Readers under some doubt, whether I had really that Concern for my Country, which in my former I laid Claim to. For this Cause chiefly I again take up the Pen, with a thorough Resolution to refute the Arguments of my soul-mouthed

mouthed Adversaries, without throwing them back any Part of their Billingsgate. Whatever Share of Fame they may have acquired by Scurrility, and Scandal; if any thing can be called Fame, that is so acquired, let them enjoy it for me; I can bear with Patience any Censure that may be passed on my Writings, provided none with Justice say that I write like them.

I know very well, that their Manner of proceeding hath in it somewhat of Art, though much more of Nature. The Writers in the Cause of modern Patriotism, find it necessary to allow no Man either Sense or Sincerity that writes against them, for fear the People should give some Heed to what he says, and be thereby animated to a strict Enquiry. This is their Misfortune, and I pity them under it; though that is more than they deserve, considering it is entirely their own seeking. All who list in the Cause of Faction are Volunteers, there is no pressing Men into this Service; and, considering the hard Duty they are put upon, I should wonder that any remain in it, if I did not see some Examples of a like Stubbornness in other Associations, which I do not think it necessary to name,

This very Practice of theirs, of abusing indiscriminately every Man with whom they argue, is one of the strongest Proofs that can be, of the Weakness of their Cause, as well as of the Meanness of their Hearts. In all Controversies, of how great Consequence soever, Men, who are concerned only for Truth, write with Patience against all whom they think worth refuting; but, when Interest or
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Prejudice influence Mens Minds, they dare not write with Decency, and therefore charge the Faults they are conscious of in themselves, upon such as oppose them. This is but too visible in most of the Controversies which have been carried on of late Years, but never appeared so glaringly as in our Political Disputes for some time past. Those who would pass for Patriots are (or at least would appear) so thoroughly persuaded of the Justice of their Cause, that they will not suffer it to be examined; and have so strong a Sense of their own Probity, that they suspect every Man's Morals who does not range himself on their Side.

This, for ought I can perceive, is the sole Cause of their Reflections upon me; and therefore, I think I cannot enter better upon my Justification, than by shewing that the Cause I espouse is no probable Presumption against my having as much Sense and Probity as any of these writing Gentlemen, or their Patrons. The boldest of them cannot deny that we enjoy at present a great many Advantages. The Crown claims no unintelligible or insupportable Prerogatives, the ordinary Courts of Judicature are always open, always uninfluenced, and unrestrained in their Proceedings. Our Parliament sit annually, our Members speak freely. The Press enjoys unufal Liberty, and no Man suffers for his speculative Opinions, either in Government or Religion. Why then does it follow, that a Man is a Rogue for liking the Situation he is in? the pretended Patriots make no Secret of their desiring great Alterations; and must we be afraid of confessing our Dislike to change? They tell us
indeed,

indeed, That the Body Politick is much out of Order, but their Doctors differ about the Disease. Some say it is a Consumption, and recommend a Change of Councils, as a Kind of political Ass's Milk. Others will have it a Fever, and nothing will serve their Turn but letting Blood. Now, if after hearing all that they say, there are a third Sorts of Folks who are sincerely of Opinion, that the State is in good Health, and these Physicians only in the Vapours, must they be tame Spectators of wrong Measures in a Case where they are so nearly concerned? Or ought they to be deemed such egregious Blockheads for doubting whether these learned Gentlemen will take all the Pains they promise, without any Regard to Fees? At least, this is not the Way of the World, as they themselves tell us every Day; and therefore, let them say what they will, our Suspicions are as just as theirs.

There never was a Civil War raised, or a Government overturned, but those who brought about such Mischiefs talked exactly in the Style of our Patriots, and were particularly remarkable for treating all that honest People, who were true to their Country and Constitution, said, as so much Court Cant, and as the visible Effect of slavish Dependence. This ought to make the World cautious of receiving every Thing for Gospel, which galls People in Power. Tho' it may be true, that all Administrations have some Faults; yet it is as true, that an Administration will be always necessary, and consequently a quick Succession of Changes, which is, in Effect, having no Administration at all, cannot be justified on this Ground. Such as have nothing in View
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but the Service of their Friends, may be incessant in their Endeavours at all Seasons; but those who are careful of the Publick, and prefer the Nation before any Set of Men in the Nation, will always have Respect to the Circumstances of Things, and never press a Change where it may be for the worse. Such Principles may expose them in seditious Times, when Mens Tempers are on the Fret, and the Populace bewildered by the Proposition of various Projects, to the Censure of Want of Zeal, Want of Courage, or even Want of Honesty: But their Consciousness of their own Innocence will enable them to support such Reflections with Patience, and will not hinder them from endeavouring to keep Things in their old Situation, as well for the Sake of those who oppose them, as for their own. True Patriotism, like true Religion, is a peaceable Principle, which prompts Men to do Good to all; and though it does not take from them the Sense of Injuries; yet it hinders them from having any Desire to return them. Whoever shall strictly consider this, and compare the Conduct of the several Parties now subsisting, will, I dare say, see Cause to suspend his Judgment; at least, when he hears a Man accused as a Spreader of Falshoods, a Sycophant, and a Poisoner of the People, for exhorting the Inhabitants of *Great Britain* to stick to their present Constitution, to be content with such Powers as are derived to them from their Ancestors, and to proclaim no Man a publick Enemy on the bare Evidence of his being in the Service of the Publick. When, I say, that such a Person will see Cause
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to suspend his Judgment, I say that you will see Cause to suspend your's, which is all the Favour I ask till I have made my Defence, upon which I will now enter without either Heat or Ceremony.

The great Point I have in View is to establish the Truth of what I have formerly written to you, by answering fully and clearly those Objections which have been made by my Antagonists, either as to the Truth of what I asserted, or as to the Justice of my Conclusions therefrom. In order to put this into the easiest, and most perspicuous Method possible, I shall take their Objections in the Order in which the Matters objected to, lie in my first Letter, that the whole Train of their Reasoning and mine may appear fairly, and without any Disadvantage; so that you, without Difficulty, may judge on which Side the Truth lies. In doing this, I shall also make use of their own Words, lest it should be surmiz'd that I either weaken the Force of their Arguments, by expressing their Sense after my own Manner, or at least take off that Edge of Wit, with which they boast of cutting down all Opponents. I confess that this Manner of acting will give both you and I, perhaps, more Trouble than is absolutely necessary; but I am so desirous that Truth should appear, and so ready to satisfy even these Writers themselves, if it be possible, that I would willingly submit, not only to this, but to any other kind of Labour for that Purpose, as well knowing that the Matters in Debate are of such high Importance, as that a thorough Understanding of them

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may prevent our Country's being plunged into Confusion.

In the Letter I say, ' The Deputies from the *Dutch* ' Provinces are by no means to be compar'd with our ' Members of Parliament ; for this plain and short ' Reason, that the Government of our Neighbours ' is a Democracy, whereas hitherto ours is not so. ' Amongst them the legislative Power and the executive Power are both in the Hands of the People ; ' but because they cannot manage it themselves, ' therefore they intrust certain Individuals to act ' in the Name, and by the Authority of the People, ' in such and such Districts. These are properly ' Deputies, mere Creatures, and absolute Dependents on the People, in Virtue of the Constitution *, To this it is objected - - - - - *In shewing the Difference betwixt Dutch Deputies, and English Representatives, there are two Misrepresentations : - - - - - The Dutch Deputies are not, and the English Members certainly are, Creatures of the People in Virtue of the Constitution, though our Author is pleased to represent them quite contrary. - - - - - Call the latter by what Name you will, they have no Power but what they derive from the People, and whenever they employ it to their Prejudice, they are - - - - - to their Constituents †.*

It is justly observed, by a late accurate Writer ‡ on the Government of the United Provinces, that though the States-General are the Representatives of the seven Provinces, yet they are by no means Sovereigns,

* Letter to a Member of Parliament, p. 3. † Common Sense, January 3, 1741. ‡ M. Jançon in his *Etat present de la Republique des Provinces-Unies.*

Sovereigns, that is to say, they do not exercise Sovereign Authority: On the contrary this belongs to, and is actually executed by the States of each Province: Every Province sends its Deputies to the *Hague*, where the States-General, that is, the Body of these Deputies assemble: Their Number is not fixed, but is, generally speaking, about Fifty: Their Votes are not at all regulated by their Number, for every Province has one, and but one Vote, though it sends, perhaps, sixteen or eighteen Deputies: These Deputies do not act according to their own Sense of the Matters brought before them, but in Obedience to the Instructions they received from the Province to which they belong. The States-General cannot make Peace or War, nor so much as enter into a Treaty with any foreign Power; they cannot levy Troops or raise Money, make Laws, or abrogate them, but in all these Cases, there must be the Approbation of the States of each particular Province. In the Provincial States, things are not concluded by a Plurality of Voices, there must be a general Concurrence, every City that has a Voice hath also a Negative Voice, of these there are not less than fifty-six, and if but one of these oppose any Question, it cannot pass: Of this we had a very late Instance, in the Accession of this Republick to the Treaty of *Hanover* in 1726, the procuring of which took up little less than a whole Year. The Deputies therefore to the States-General are, properly speaking, Embassadors from seven independent Republicks: The Deputies in the Provincieal States are Embassadors from so many little Sovereignties. Those

who have a Right of sending Deputies, have also a Right of directing them ; and the Common-Council of every little City in *Holland* is in fact, according to their Constitution, the dernier Resort of Government. This in as few Words, and with as much Exactness as I am able, is the Plan which, from the Lights I have, appears to me the Basis of that Government with which we are at present concerned. The next Thing therefore to be enquired is, Whether from these Premises, my Conclusion, or that of my Antagonist, may best be justified.

It appears from this Account of the Matter, that the *Dutch* Deputies are not Representatives, but mere Delegates, subject to Instructions, liable to be removed, and supported by Wages from their Constituents. This, in my Judgment, is sufficient to demonstrate that I represented the Thing fairly to you at first. I then observed that the Government of *Holland* was a Democracy, or popular Government, and so if ever there was a Government that deserved that Name, it certainly is : That the Deputies are not at Liberty to act according to their own Wills, is what even my Adversary will not deny ; they must therefore act according to the Will of others ; and tracing this backward, Step by Step, we come at last to the Individuals, who compose the several Orders, or are Burghers of the several Cities which have Voices in each of the Provincial States. On the whole, therefore, I think I have made it as plain as the thing possibly can be, that the *Dutch* Deputies are Creatures of the People.

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The next thing I am to shew is, that the Members of an *English* House of Commons are not such Creatures of the People, which I conceive is not more difficult than to shew that two and two make four, or that some People are no Saints, though they set up for Patriots. In the first Place, the Number of our Members is certain, a County, a City, a Borough, are all limited as to the Number they are to chuse by the Constitution : Secondly, the Powers and Privileges which belong to Members of Parliament, belong to them by Virtue of the Constitution ; their Constituents do indeed give their particular Members a Right to them, but then they can neither lessen nor increase them : Thirdly, as Representatives of the Commons of *Great-Britain*, the Members are absolutely free in their Debates, and in their Votes. The Legal Authority, that is, the Authority vested by the Constitution in the People, resides, while they are sitting, in them ; and though my Antagonist is so hardy as to insinuate, that they may be Traitors to their Constituents, for so his ----- is to be filled up ; yet, I think, the Crime of suggesting this, without any Ground, is a Species of Treason no less certain, and of which we have Reason to stand in more Fear. It is indeed an Offence of which some People have been already guilty, and which is much to be regreted, their Country has been punished for it ; that is to say, the Bulk of the People have had their Heads turned with strange Notions, and their Minds poison'd by scandalous Suggestions, in Consequence of which a general Licentiousness begins

to prevail, the Effects of which may be fatal not only to us, but to our Posterity.

From a due Consideration of these Points, we may easily and certainly learn, wherein consists the essential Difference between our Form of Government, and that of the United-Provinces; as also, why some People are so fond of puzzling this Matter, and of endeavouring to make us confound Representatives with Deputies. In the United-Provinces the supreme Power is lodged, as hath been shewn, as much as may be, in the People. In *Britain* again the supreme Power is not in the King, in the Lords, or in the People, but in the King and three Estates assembled in Parliament. Whoever endeavours to alter this, is a Traitor to the Constitution, whatever artful Colourings he may make Use of to hide his Purpose. A Counsellor who advises his Prince to take such Measures, as may conduce to the rendring himself absolute, is an Enemy to his Country, and I dare say no Body doubts it. Neither is there any Reason to doubt, that such as pretend to put the People upon claiming Powers, to which they have no Title by the Constitution, are also Enemies to their Country. Because in either Case a Tyranny would follow, the Constitution would be subverted, and the People, notwithstanding all the fallacious Promises made them, irretrievably undone. I cannot let slip so favourable an Opportunity of explaining a Point, which I am absolutely perswaded is not thoroughly, or at least not generally, understood. The Point is this, That though both we and the *Dutch* are free, yet our Freedom is greater, and more extensive

tensive than their's, and this by reason of our Constitution. For the Foundation of a limited Monarchy being firmer and broader than that of a Democracy, there is therefore less Danger of its being subverted; whence it follows, that larger Bodies of People may be trusted with the Power of electing such as are to execute their Share in the Government under such a Form of Rule, than can be done in the other Case, which is the Reason why Ten Times the Number have here a Share in our parliamentary Elections, than have any Thing to do with the Deputies in *Holland*. This shows the Advantage of our Constitution over their's, and is also a manifest Proof, that such as, under Pretence of supporting the Power of the People, would influence them to render their Representatives, Deputies, would in Fact do them no Service; and herein lies the great Secret, why a Commonwealth, if it could be set up, never would be long maintain'd here. Designing Men may so flatter the Populace, with Schemes of subjecting Government to the Will of those who ought and must be governed, as to create a seditious Humour, and a Prone-ness to expect they know not what themselves: But Reason and Experience convinces us, that all this is beside the Purpose, and that instead of promoting the Ease and Happiness, such Projects as these bring on the People Misery and Distress. A View to these Consequences, however remote, first inclined me to show the Impropriety of introducing new Terms in respect to Members; because it is well known, that such as have in View the changing of Things, begin first with changing Words.

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In my former Letter I told you frankly, that I thought the modern Method of instructing Members how to behave in Parliament, was not agreeable to our Constitution. This seems greatly to have alarm'd the Writers I have to deal with. I will first refute what they have advanced upon this Subject, in Opposition to what I had laid down ; and having done this, I will go on to make it as plain to you as any Point can be made, that what I before offered is the Truth, according to the infallible Rule for adjusting political Truths amongst us, I mean the Constitution.

One of my Antagonists, to overthrow what I had asserted, *viz.* ' That the Right of instructing ' is a new Claim,' writes thus, ' As to the Anti- ' quity of the Claim, I refer him to Lord *Coke*, ' where he will find the Practice of instructing as ' antient at least as *Edward III.* of which he gives ' two remarkable Instances; and it hath from ' Time to Time been ever since in constant Use *'

The Quotation from my Lord *Coke* is false, it stands 3 *Inst.* 34. I suppose it should be the fourth Institute, for there, in the Thirty fourth Page, the Instances referr'd to occur. I will set down that in the Reign of *Edward III.* in the Words of Lord *Coke*, and then the Reader will plainly perceive what Credit is due to my Antagonist. ' At the ' Parliament holden in 9 *Edw.* III, when a Mo- ' tion was made for a Subsidy to be granted of a ' new Kind, the Commons answered, That they ' would have Conference with those of their seve- ' ral

* Craftsman, January 10, 1741.

‘ ral Countries and Places, who had put them in
 ‘ Trust, before they treated of any such Matter *.’

How this proves the Claim of instructing I cannot conceive; for nothing can be plainer, than that the Representatives of the Commons meant to inform themselves by Enquiry, and not to receive Instructions from others in an authoritative Way. To put this Matter out of Doubt, and to clear up this general Observation of Lord *Coke*, I will cite another Instance in the same Reign, about which there can be no Mistakes, and from which the true Meaning of the Phrase in Question will be fully shewn:

On the 25th of *August*, in the 13th Year of his Reign, not long before King *Edward* made a great Inroad into *France*, the Duke of *Cornwall*, Guardian of *England*, in his Name, issued Writs for a Parliament to meet fifteen Days after the Feast of *St. Michael* †. To which Parliament came the Archbishop of *Canterbury*, the Bishop of *Durham*, and Mr. *William de la Pole*, from the King then in *France* ‡, to show the Lords and Commons what he had done beyond Sea, and his Condition there, and the Mischiefs that had befallen him, and those with him, by reason he was not supplied from *England*. At the same Time came Letters to the Earl of *Huntington*, and to the *Prussia* Merchants, that the King was in *France*, near *St. Quintin's*, with an Army of 15000 Men, and more, so as it was hoped, with the Aid of GOD, he would be honoured through the World, and his Liege People

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* 4 Instit. Cap. 1. p. 34. † Clause 13. Ed. III. Par. 2.
 M. 28. Dors. ‡ Rot. Parl. 13. Ed. III. Par. 1. n. 4.

safe in all Points, and preserv'd for ever; then also he shewed to the great Men and Commons, how that he and others that were with the King, for the Charge they had been at, to have his Allies and others to march with him into *France*, were obliged with him for 300000 *l. Sterling*, or more, and how that the King and his Friends could not honourably depart from thence, without giving his Creditors Satisfaction; and likewise that for this Cause, and for the Maintenance of him and his Quarrel, which was undertaken by the common Assent of them all, and for his Business on this Side the Water, he ought to be supplied with a very great Sum. Whereupon in this great Necessity, it was thought convenient to aid him with a very great Sum, or he would be dishonoured, and he and his People destroyed for ever; and it was agreed by the great Men (*les Grantz ont grante*) to give him every tenth Sheaf, Fleece, and Lamb, of their Demesnes, except of their Bond Tenants. The Commons declare themselves very forward and willing to assist the King, but they pray the Duke of *Cornwall*, Guardian of *England*, and the Lords, that he would summon a Parliament to meet in convenient Time; that the mean while they might go into the Country, to endeavour to have an Aid granted, answerable to the King's Necessity; and they farther pray, That two of the best valued Knights might be chosen in every County for that Parliament. Accordingly the Guardian issued Writs on the 16th of *November* * for another Parliament to meet eight Days after *St. Hillary*, or 20th of

* Cl. 13. Ed. III. Par. 2. M. 1. Dorf.

of *January*, in which the Commons gave the King 30,000 Sacks of Wooll, upon certain Conditions comprised in Indentures made hereupon †; the Clergy gave nothing, because in the 11th Year of his Reign they gave triennial Tenth toward the War coming on then with the King of *France*, and to pay *Germans*, *Brabanters*, and others confederated with him against that King, the three Years being not then expired.

The Point about which the Representatives of the Commons desired to be informed, was not whether they should grant a Supply, but in what Manner they should grant it, so as that it might answer the King's immediate Wants, and be levied with least Difficulty upon the People. The common Method of taxing in those Days was less certain, and yet more oppressive than any of the Ways now in Use; and therefore, in such an extraordinary Case as this was, where the Needs of their Sovereign were so great, and their own Circumstances none of the best, there was certainly a great Deal of Wisdom and Loyalty in this Measure taken by the House of Commons. But that they wanted Information only, and not Instruction in the modern Sense, appears most evidently from hence, that they undertook for a Supply, and desired another Parliament might be called.

On the whole, there can be nothing more fallacious than to cite Examples of this Nature, in support of a Practice of a quite different Kind. No Body ever denied, that in certain extraordinary Cases, the Members of the House of Commons

† Rot. Parl. 13. Ed. III. Par. 2. n. 5, 6, 7.

mons might have Recourse to their Constituents for Information; and in respect to this, Lord *Coke* is very clear. 'It is also the Law and Custom of the Parliament, that when any new Device is moved for on the King's Behalf, in Parliament for his Aid, or the like, the Commons may answer, That they tendered the King's Estate, and are ready to aid the same, only in this new Device they dare not agree without Conference with their Countries; whereby it appeareth, that such Conference is warrantable by the Law and Custom of Parliament*.' This is directly in the Teeth of the new Doctrine of instructing Members, For, if Lord *Coke* had dream'd that it was legal, or so much as warrantable for Electors to prescribe to their Representatives, he needed not have expressed himself with so much Caution; besides, here are two manifest Restrictions mentioned, even in the Case of consulting. *First*, It must be in case of some new Device, on Behalf of the Crown; and, *Secondly*, This Consultation must be in Virtue of an Order of the House. The Reader will easily discern by the Pains I have taken in this Matter, that I have nothing in View, but Truth, and the Preservation of the just Rights of the People. This alone inclines me so strenuously to oppose the pretended Right now in Question, there being nothing more certain, than what Lord *Coke* has observed, That *Innovations and Novelties in Parliamentary Proceedings, are most dangerous, and to be refused †*, that is, rejected.

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* 4 Instit. cap. 1. p. 14. † 4 Instit. p. 11.

The Instances the Writer before mentioned gives in the Reign of King *Charles II* †, are quite beside the Purpose; those who were concerned in them, thought the Government on the Point of being dissolved, took those Steps he mentions, because they were in their Power, and would have taken bolder if they could, but Things at that Time were not ripe. I cannot therefore admit these for Precedents in peaceable Times, when our Government is strictly according to our Constitution, and when consequently there ought to be the greatest Harmony between King and People. My Adversary also ought to have remembred, that many who were concerned in these Steps, were inclined to throw the whole Legislative Power into the Hands of the House of Commons; for the very same Reason that some Folks are now so fond of the People, because they seem to be in the same Opinions. Whoever considers the Libels of those Times, and compares them with the present, will, I am afraid, see too great a Likeness; yet sure two Governments, or, at least, two *English* Governments, were never more unlike. Passive Obedience was then the Doctrine of the Church, and of the Court, whereas Principles of Liberty are now recommended from the Throne. The Protestant Religion was in the utmost Danger, the Possessor of the Crown was a concealed, the presumptive Heir, a professed Papist. The great View of the Court was to secure Parliaments by new Charters; or, if that could not be done, to govern without them. We are now void of any Fears about Religion; and if the Constitution,

† Craftsman, *January* 10, 1741.

tion, or the Peoples Freedom, be in any Danger, it comes from another Quarter, and not from the Court.

As to the *Kentish* Petition in King *William's* Time, I am extreamly oblig'd to this Writer for mentioning it, especially in the Manner he does: He says, Those concern'd therein carried their Claim to an *unjustifiable Height*: This could not be in respect to petitioning; for that they certainly had a Right to do: But their Petition being in the Nature of an Instruction, my Antagonist, in condemning this, gives Evidence against himself; and the Reason he gives for it, is the best that could possibly have been given; *They took upon themselves*, says he, *to instruct not only their own Representatives, but the whole House of Commons*: ---- If this was a just Reason for censuring them, as this Writer owns it was, then all Instructions are alike illegal: For, as my Lord *Coke* tells us, ' Every Member, though he be chosen for one particular County or Borough, yet when he is return'd, and sits in Parliament, he serveth for the whole Realm; for the End of his coming thither, as in the Writ of his Election appear-eth, is general, *ad faciendum & consentiendum*, &c. †' It comes then to the same Thing, whether they profess'dly instruct their own Members, or the whole House, they have just the same Right to do the one as the other. In Respect to the last Instance, about the Excise-Scheme, it is altogether out of the Case, since many who oppos'd that Scheme, declar'd against any Right their Electors had

† 4 Inst. Cap. 1. P. 14.

had to instruct them. Besides, none asserted that Power to be in the People, but those who assert it now; and every Time a Corporation sends up an Instruction, the Precedent may as well be pleaded, as the Instructions then sent: Either is, without Doubt, sufficient Evidence of a *Claim*; but the Question is as to the *Right*. A House of Commons once devolv'd all its Power upon a Committee; would it be any Proof of their having a Right to do so, if, from History, I shew, *de facto*, they once really did it? No, certainly; neither can a Repetition of illegal Acts make them legal. Thus, I hope, I have, to your Satisfaction, clear'd the Objections that have been made against the Arguments advanced by me in my former Letter. I shall now proceed to some other Reasons why I conceive, that this Practice is directly repugnant to the Constitution, and might, if it grew into Use, prove extremely detrimental to the publick Peace, and to the People.

If Electors had any Right to instruct their Members, so as thereby to direct their Votes, it would limit at least, if not entirely take away, the Freedom of the House of Commons. We all know that things which considered in one Light appear just and reasonable, may, when they are considered in other Lights, be found unfit, and impracticable. The Manner of the House of Commons is to view and examine the Matters which come before them in all Lights. But to what Purpose would this be, if, before their coming to Parliament, the Point was settled for them in their Instructions, in such a Case could they be called Representatives?

presentatives? My Lord *Coke* says, that in case of any new Device in favour of the Crown, it was warrantable for the Commons to consult their Constituents; but if a Crotchet comes into the Head of the People, it seems, their Representatives shall not have Leave to consult so much as their Reason, the publick Peace, or the Good of the People they represent. Surely this is contrary to common Sense, and never can be seriously maintain'd by any Man, who considers the Consequences of what he asserts, in respect to the Quiet and Welfare of his Country.

In point of Law again, how suits this Right of instructing with the Frame of the Writ of Summons; by it every County, City, and Borough, is directed to send fit Persons; and my Lord *Coke* spends a great deal of Time in shewing what Properties a Parliament-Man should have. There would be no Need of all this, if these Representatives were to be governed by Instructions: The utmost Care ought to be taken in electing such as, by their own Judgment, are to decide for their Constituents; but there seems to be no Reason, why the fittest Persons in a Borough should be sent to Parliament, subject to the Directions of such as are less fit to judge of publick Affairs than themselves. Next I should be glad to see that Clause in the Writ, which requires the Electors to instruct their Member; we know with what Care Writs were anciently formed, and we know what Lord *Coke* says of the high Nature of the Writs of which we are speaking; is it not strange then, that these Writs should descend to many minute particulars, and yet pass over this
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which is more material than them all. Besides, our Books are silent. Lord *Coke* says there was a Treatise, intituled, *Modus tenendi Parliamentum*, framed by Direction of *William the Conqueror*, of which he made great Use in the fourth Part of his *Institutes*. How comes it, if there was any such Right, that nothing was said in this Treatise concerning Instruction to Members; if the Right accrued afterwards, how came Lord *Coke* himself not to take Notice of it? or, which is still stronger, how came all the great Asserters of the Peoples Privileges, who have written so copiously upon Parliaments, never to say a Syllable concerning Instructions? I mean Instructions in the modern Sense, such a one as that published since my former Letter, Let the Party answer this if they can.

The only Thing which has the Colour of Reason, on the other Side of the Question, is the Necessity of applying to their Representatives, in Regard to the Grievances the People may labour under. Now this they may effectually do by Petition. This seems to be the most reasonable Way; for the Power of the People being, according to our Constitution, vested in their Representatives, to them they ought naturally to apply; this being, as may be presum'd, one great Reason for trusting them with so great a Power. As this is rational and probable, so our Books tell us it is legal likewise. The Right of petitioning, and of being reliev'd upon Petitions, is a Right which was always claim'd, and never disputed, but in very unsettled Times, and when Parliaments were awed by the Power of ambitious Princes. Since,

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therefore, there was always this reasonable and legal Way for the People to inform their Representatives, either of Grievances under which they suffer'd, or of Benefits which they might expect, why should we dream, against all the Lights of Reason, Law and History, that our Ancestors claim'd a Right of instructing? Or why should we be so fond of creating such a Right to ourselves? Those who contend for this admit, that each County, City, or Borough, can instruct its own Members only, and even this we have shewn to be impracticable; whereas, in the other Way of petitioning, the People may freely represent whatsoever they think fit to the House of Commons, and so put the Matter into a proper Train of Enquiry. Shall we fall out with the easiest, safest, and most advantageous Method, merely because it is legal beyond Dispute? Or ought we to take up with another Way, purely on Account of its being recommended to us by a Set of Men, who have long made it their Business to perplex publick Councils, and who have attempted to sap several fundamental Parts of our Constitution, in Hopes of entering by the Breach into Power? Steps like these, are surely unbecoming a wise and free People; and if ever we think otherwise, Experience will teach us to repent.

The last Thing which I shall at present offer against the Method I oppose, is the Danger of it. Those who so warmly espouse it at present, do it from a Presumption, that this Practice may serve their Turn for the present. Perhaps it might do so; but certainly it would be a bad Precedent, and open a
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Road to the greatest Mischiefs hereafter. It is not impossible that in some future Age, there may arise Ministers as ambitious and as great Enemies to the People, as some that have lived in Times past. If these should, as no doubt they would, meet with a vigorous Opposition to their Measures in the House of Commons, what a terrible Use might they make of this Doctrine of instructing Members? by the Help of this they might screen themselves from the Representatives of the People, behind the People themselves. There would be nothing more wanting than a few such Instructions in favour of their Schemes, as we have lately seen sent in support of the Schemes of other People, to countenance such Measures as I am afraid to mention. All impartial Writers on our Constitution have insinuated grievous Apprehensions of what might follow from appealing from their Representatives to the People. If any of my Antagonists should think of representing these as chimerical Fears, let them remember the *Kentish* Petition, It is a Case in Point. If the Petitioners were not excited, they were at least encouraged, by the Court to act as they did, and we may see in the Writings of some great Courtiers of those Times, what plausible Pretences were made Use of to fill the Heads of the Populace with a Notion, that they might call Parliaments to account as well as Kings; that is, in plain *English*, that they might, if they thought fit, demolish the Constitution; or, which is the same Thing, ruin and enslave themselves. I could say a great deal more to this Purpose, but I think I have said enough, perhaps too much, already; but you must consider, Sir, that I have been forced

forced to it, and that though I might have offered these Reasons to you before, yet I forbore doing it from an Unwillingness to meddle with such ticklish Subjects, and to shew how easily popular Schemes might, after serving the Ends of a Party, be made Use of to the Prejudice of the People.

We are now come to that Point, in which your Friends think themselves strongest. ' There is certainly a wide Difference, *says my ablest Antagonist*, ' between the legal *Prerogative* of the Crown, and ' it's *Ministerial Influence*, as much as this *Scribbler* ' endeavours to ridicule it, that the *Prerogative* ' hath been restrained since the *Revolution*, I have ' not heard questioned; and that *Ministerial Influence* ' hath increased in a greater Proportion, I think ' is as evident from the Effect, which hath, and ' must necessarily attend the great *Number of Places* ' now at the Disposal of the M — r, which owe ' their Being to the infinite Multiplicity of *Taxes*, ' and the burthensome *Debts* we labour under. ' .

I am much obliged to this Gentleman, for his good Manners in calling me *Scribbler*, and, I hope he will be long in a Capacity to call me so; for should he ever arrive at the Height of his Ambition, a *Title*, and a *Post*, he would call me *Traitor* with as little Ceremony, if I ventured to oppose him. The Paragraph would have run full as well, and have carried as strong an *Air of Patriotism*, if there had been no calling Names. I therefore take it for granted, that *Scribbler* was put in to shew *who* wrote it. There are certain *favourite Expressions*, by which *Criticks* distinguish the Writings of an *Author*, though they are not honoured with his
Name

Name. From these little *Flights* of *Arrogancy* therefore which serve to shew the *Superiority* of the *Writer*, and to distinguish him from the *Hackney Scrib-ler*, we are easily led to know who this Mr. *Petulant* is. But, as the foregoing Observation is the very *Basis* of all their Arguments, I will consider it with just Attention, and endeavour to make you sensible how little Notice is due to this Clamour, about *Ministerial Influence*.

While the *Crown* possessed, and excercised those *Prerogatives* which have been restrained by Law, at, or since the *Revolution*, the *Court Influence* was really terrible enough to raise strong Apprehensions in the People. In the *Memoirs* of Sir *William Temple*, in those of Sir *John Reresby*, in the *Diary* of Mr. *Ashmole*, we find it expressly affirmed that King *Charles*, and King *James*, sent for such Gentlemen as they thought they could depend upon, put them upon being *Candidates*, and assisted them with all the *Weight* the *Crown* could give at their *Elections*, nay sometimes laid their *Commands* upon such as would otherwise have opposed them, to desist. Wherefore, while this Method of Proceeding was practicable, *Court* and *Country Interest* were proper Distinctions; but the Mischief was, that these *Distinctions* subsisted, or were revived, after their Cause was taken away; and of this we shall presently see the Reason.

Amongst those who had set themselves with Vigour to oppose the Exorbitancies of the Princes I have just mentioned, as there were many who have acted purely from publick Spirit, and Love to their Country; so there were some, who, though they made

made the loudest Pretences to these laudable Qualities, were in reality influenced by very different Notions; such as, Dislike to Monarchy, an eager Ambition of being at the Head of Affairs, or a greedy Desire of fingering publick Money. Hence it followed, that though the *Revolution* took away all just Causes of Complaint against the *Power* of the *Crown*, and though the personal Conduct of the Prince who wore it was such as might have satisfied even the warmest *Patriot*; yet so far was the *Spirit of Opposition* from being extinguished, that, before the Government was well resettled, it broke out again, with as great Violence as ever; and which was not a little extraordinary, some who had gone the greatest Lengths with former Courts, finding themselves out of Credit, became bitter Enemies to that Power, which they knew they should never possess; and with equal Art and Obstinacy, prosecuted their disloyal Design of thwarting the King's Measures upon all Occasions, out of their abundant Care, (as they would have it understood) of the Safety and Welfare of the Nation.

The Wars in *Ireland*, and in *Flanders*, the Distresses of the Government at home, and those Jealousies the common People are always apt to entertain, when their Princes have any Concerns abroad, gave these artful and ambitious Men a fair Opportunity of exerting their Eloquence to some Purpose. All who were disaffected with the late Change in the Government, all the Discontented who had no Hopes but in the Change of a Ministry, all that affected a Republick, all who were weak enough to be misled by plausible Pretences of publick Spirit, joined in the glorious Project of crossing a Court, which, as it

it owed its *Being* to a *Country Interest*, must necessarily have *relied* upon it for *Support*. Repeated Disappointments, and a continued Series of Misfortunes, at length obliged some in the Administration to make Use of Methods, of which otherwise they had never had a Thought ; that is to say, it obliged them to have Recourse to the *Means* which they had in their *Hands* of *contenting* some and *quieting* others, and thereby procuring to themselves a Capacity of *steering* the *Vessel* of *State*, as to weather several *severe Storms* ; by each of which otherwise she must have suffered *Shipwreck*. Thus the *Perverseness* of *pretended Patriots* produced what they call *Ministerial Influence*.

Whoever lived in those Times, whoever has read the most impartial Histories of King *William's* Reign, will own to you that I have represented this Matter fairly. And now, Sir, lay your Hand upon your Breast, consider the Situation of a *Ministry*, pressed on one hand by the *powerful Enemies* of their *King* and *Country*, and distressed on the other by *pretended Patriots* ; reproached by the latter, if the former gained any *Advantages*, and unable to deal with the former till they found some Means of *pacifying* the latter. In such a Case, Sir, what would you have *Men* do ? For Ministers are *Men*, and while they are so, it is unjust to expect from them either *Virtue* or *Wisdom* superior to *Mortals*. If such as had *Talents* for *Popularity* would exert them to the Prejudice of the *State*, merely because they wanted *Places*, would you condemn, as *Enemies* to their *Country*, such as gratified them rather than see the *State* perish. If Men, after acquiring

a *Reputation* by *speeching* for the *Publick*, will not allow others to *aēt* for the *Publick* without a *Reward* for not being *troublesome*, what is to be done? If Regard to the Government did not direct an *Administration* in such Emergencies, Principles of Self-Preservation would. The Crown at that Time had lost the *Powers* by which it was accustomed to promote it's *Measures*, and secure it's *Servants*, and therefore it was obliged to stoop to the only *Means* of *Safety* that were *left*.

As to the heavy Burden of the *publick Debts*, and in Consequence of them the *grievous Load* of numerous *Taxes*, we owe them entirely to the *pretended Patriots* of those Times, who, while they were pocketting Bribes for the *parsimonious Supplies* they permitted the *Commons* to give to the *Crown*, were at the same Time heaping *Debts* and entailing *Taxes* upon *Posterity*, that they, and their delusive Eloquence, might deserve Curses in *Secula Seculorum*. Yet your Friends, the *worthy Successors*, Sir, of the *Grumblers* in the last Century, have the Confidence to place these *tokens*, by which we ought to remember their *Predecessors*, to the Account of *Ministers*, and would have us gratefully abhor the Memory of *those Men*, who preserved us from being quite *undone*. If indeed they are morally certain that the People will never open their Eyes, I do not know but they may carry their Point, and be as loudly huzza'd for running down *those* who are now at the *Helm*, as the *old Patriots* were, for banishing *Clarendon*, depriving *Somers* of the *Seals*, and breaking the Heart of the uncorrupt and publick spirited *Godolphin*.

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Besides, when those who courted the Favour of the People had, to ingratiate themselves, hindered the necessary Supplies for defraying the current Expences of the Government, and thereby created *Debts*, and *Taxes*, it became absolutely necessary that the *Receipt* and *Direction* of these should be in *Officers* appointed by the Crown; had it been otherwise, not only *Debts*, and *Taxes*, but *Faction* also had been established; and we should have had *two Kinds* of *Government* in one *Commonwealth*. 'Tis true, something of this Sort was attempted in the Reign of which I have been speaking: Some *Patriot Commissioners* were elected, and great Powers given them by the Legislature, but so far were they from doing any of the great Things that were expected from, or promised by them, that except terrifying publick Officers, causing Loads of Accounts to be transcribed at the publick Expence, and finding Fault with Persons with whom they had nothing to do, the People reaped no Fruit from their Labours; and from a just Sense of this, they were at last very prudently laid aside. Happy would it be for us, if we did not think ourselves too wise to be guided by Experience, we should then distinguish easily between feasible and impracticable Projects, and be content to trust the *Crown* with those *Powers*, which would be infinitely more dangerous, even to the *People* themselves, if they were in *other Hands*.

On the whole, your Friends reason from a Set of *gross Falshoods*, as if they were *self-evident Principles*, and this it is that gives them that *Air of Confidence* with which they *speak* and *write*. For Example, they take it for granted, that there is a *hid-*

tural Opposition between the *Interests* of the *Crown* and *People*, though nothing is more certain than that they are, and always ought to be, *the same*. They define *Patriotism*, or at least they act as if they defined it, *an Aversion to Power*, however it may be used. At the same Time, they endeavour to persuade the *People*, that the surest *Sign* of a *publick Spirit*, is the *disturbing* and *distracting publick Councils*. In short, their having *no Places* puts them upon representing a *Place*, as a Proof either of *Iniquity* or *Incapacity*; and their finding that the Justice, Equity, and Mildness of the present *Administration*, together with their Punctuality in all their Dealings, and their Tenderness in executing penal Laws, hath given them a great *Interest* in the *People*, they will needs give this an ill Name; and to answer their own pernicious Purposes, have the Assurance to call the Effects of the King's good and gracious Government, *Ministerial Influence*.

It is charged upon me, as an Instance either of Weakness or Insincerity, that I should object to the Place-Bill, that it is an *Invasion on the Peoples Liberty*, and yet all that I advanced is granted, for it could not be denied; and now to shew, that if I am a Blockhead, I am a Blockhead of some Reading, I will discover whence I had this Notion, that disqualifying any Person from serving his Country in Parliament, is a great Trespass on the Right of the People, and extremely dangerous to our Constitution. Lord Coke tells us *, That the King cannot grant a Charter of Exemption to any Man to be freed from Election of Knight, Citizen, or Burgeſs
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* 4 Instit. p. 49.

of the Parliament, as he may do of some inferior Offices or Places ; because the Elections of them ought to be free, and his Attendance is for the Service of the whole Realm, and for the Benefit of the King, and his People, and the whole Commonwealth hath an Interest therein. It may, indeed, be said, that this relates to the King, and shews, that he ought not to wound the Constitution in this Particular ; but sure, the Reason of our great Lawyer's Remark is general, for a Wound is a Wound come from what Hand it will. However, to shew that Lord *Coke* thought any Restraint of this Sort unlawful alike in Prince and in People, I must take Notice that he censures, with great Quickness, an Attempt made to exclude Lawyers from sitting in the House of Commons. There was, it seems, in the Time of *Edward III*, a popular Clamour against Lawyers, as now there is against Place-men ; and in the 46th Year of his Reign, there was an Ordinance made in the House of Lords to disable them from being elected. *Henry IV*, in the sixth Year of his Reign, to gratify the People, inserted a Clause in a Writ of Summons, prohibiting the Election of any Lawyer. This Parliament, without Lawyers, met at *Coventry*, and such mad Work they made on it, that, to this Day, they are stiled in our Books *Indoctrum Parliamentum*, or, in good old *English*, the *Lack-Learning Parliament*. This had a good Effect, it cured the People of their Prejudices, and they have never since thought of turning Lawyers out of Parliament. It is clear, therefore, that I am not alone in my Judgment, that Restraints on the Freedom of the People, in this Particular, how plausible

plausible soever the Pretences for restraining appear, are certainly dangerous, it may be destructive of our Constitution. I must add, before I quit this Subject, that if my Lord *Coke's* Opinion was of Weight, when there was no Qualification in point of Estate necessary to a Seat in Parliament, it is much more so now.

But if these Gentlemen can't prove me an Offender against Reason, they will strive hard to convict me of writing against the Laws. There are, it seems, certain Place-men disabled by Act of Parliament from sitting in the House of Commons; and, if I persist in my Opinion, it seems to them that I doubt of the Wisdom of this Act: But, with Submission to these quick Wits, I do not argue for the Repeal of this Law, but I argue against a Crotchet of their's which is not a Law yet: Some Place-men are excluded, *ergo* more Place-men ought to be excluded. If this be good Logick, then, say I, the present Qualifications in Land are reasonable; therefore to double these Qualifications would be twice as reasonable, and thus we may go on securing the House of Commons, till we shut them out of Doors. This they may call awkwardly ridiculing their Scheme, but I protest I mean no such Thing, I have no Ambition to pass for a Wit; and therefore those who have, cannot mortify me by calling me a Blockhead. All that I pretend to say is, That a Multiplication of Restraints on Liberty is the direct Road to taking it quite away. This is a plain, self-evident, home-spun Truth; and if these Gentlemen with their Learning, Spirit, Eloquence, and all that, can prevail upon the People to believe the

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contrary, why they will be very cleaver Fellows ; the Wit will lie all on their Side ; and as to Wisdom, it will be out of the Question.

My Antagonists are agreed in one Point, and that is, that I am guilty of a gross Contradiction in ridiculing (for so they will have it) the People's demanding a Place-Bill, because it restrains their Liberty, and, at the same Time, applauding their Ancestors for giving up their Right of electing Sheriffs. If I piqued myself as little on good Manners as these Writers do, I should say, that the Parent of this gross Contradiction is their *gross Ignorance*. People may be *Patriots* and *Politicians*, it seems, by Intuition, but I find to make Men *Lawyers* there must be a *little reading*. The People did give up their *Right of electing Sheriffs*, and I commend them for it ; but they did not give it away, otherwise I would not have commended them. I did not intend in that Letter to *read* to you, Sir, upon the *Statute of Sheriffs*, I knew you would comprehend very readily the *Hint* I gave ; but these People are so alert on their *new Notions of Liberty*, and so fond of shewing their *Spite* to the *Crown*, that they take Fire not only on every Occasion, but, on every Shadow of Occasion, the Source of their Reflections lying here in the *Sound* of the *Words*, and not in their *Meaning*. For be it known unto them, that I as little desire to see the People give up their *Rights* to the *Crown*, as their *Votes* to the *present Patriots*. I thank God, I mean the *People* better than to wish them *Slaves* to any *Prince*, much less to any *Set* of *Subjects*,
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who have no Title to Dominion, but what lies in their *sublime Sense* of their *own Abilities*.

I pass now to another Absurdity they say I have run into, which is, alledging that the Place-Bill fixes a *Mark of Reproach* on those whom it excludes from *sitting* in the *House of Commons*, or, to use the Words which they are pleased to make me use, puts them, in this Respect, upon the same Foot with *outlawed Persons*. I am still as blind as ever, and, in spite of all their Illustrations, cannot see any Absurdity in what I advanced. They make no Scruple of owning, that their turning Place-Men *out*, is because they think the People have Grounds to be dissatisfied with their Conduct in Parliament, and yet they are angry with me for saying, that such an Exclusion as this is dishonourable to the *Persons excluded*. At this Rate I protest I am afraid I shall never say any thing to please them; for if stripping a Man of a *Trust of Honour and Importance*, from an Opinion that he will *betray it*, fixes no Sort of Discredit upon that *Man*, why then I am what these Gentlemen would have me, a Blockhead in good Earnest. Nay, to shew them how thick my Skull is, I will confess, that notwithstanding all the Pains they have taken about it, I am not convinced of the Truth of either of the *Instances* they give me. First, they say that many useful Members of the Common-wealth are incapacitated, and yet are not looked upon as Enemies to their Country. Now I conceive there is some little Difference between a Man's being *kept out* of *Parliament* for want of a *legal Capacity*, and being *turned out* of it, though he was all that the

the Law requires. Next they insinuate that I would throw some Reproach on *monied Men*; because, truly, a Man who is worth a *Million* cannot sit in the *House of Commons*. But if this Man will lay out *Ten thousand Pound* in *Land*, he may sit there the next Day; and this very Provision is one of the Causes of the *high Value* set upon *Land*. By their *Scheme*, however, it is to be enacted, that if a Man has a *Place*, that is, *serves* his *Country* by the *Favour* of his *Prince*, he shall not sit in the *House of Commons*, tho' he be born to *Ten thousand a Year*. I have now got rid of every Thing but the Word *outlawed*; and as to this, I say, if a Man be excommunicated or outlawed, his being *duly elected* will not give him a *Seat* in *Parliament*, though he has all other *legal Qualifications*: By this Bill a *Person* with *those Qualifications* is to be excluded, if he has a *Place*: The Question is, Whether this does not make him look somewhat like an *Outlaw*?

The Writers against me are very angry with what they call my *begging* of *Questions*, though, by the Way, they have not shewn much Generosity themselves, in granting my Requests. They are *surprized* that I should say, That the *Servants* of the *Crown* are, in Reality, the *Servants* of the *People*, and that the *Money* of the *Crown* is the *Money* of the *People*. Now, if *Surprize* be any Sort of *Proof*, why, I protest solemnly, Sir, I was never so *surprized* in my Life; I took these very *Expressions* out of their *own Mouths*; and now, look you, to spite me, they will give themselves the *Lye*. Well, let the worst come to the worst

worst, I can prove it, and I will prove it, rather than the *People* shall lose their *Servants*, or their *Servants* think they are accountable only to the *Crown*. The executive Part of the Government is given to the *King* by *Law*, but it is given to the *King* for the *Sake* of the *People*; and therefore, as he cannot execute the Government without employing Part of his *People*, who are thence stiled *Ministers*, they are accountable for what they do to the *People*: This is carried so far, that the very *Command* of the *Prince* is held no Warrant, in *Law*, for their doing any Thing to the *Prejudice* of the *People*; nay, and though the *King* can pardon any of his *People*, for any Offence, yet he cannot pardon his *Ministers* if they are *impeached* by the *People*: Therefore I said, and I said not without Reason, that the *Servants* of the *Crown* were, in Reality, *Servants* of the *People*; and, I think, I might have said, That they are not so much the *Servants* of the *Crown*, as of the *People*. Now again, as to the *Money* that pays them, do we not all know, that it is granted by the *People* for the Support of the *Government*, which is so necessary to themselves, that, if it was dissolv'd, it would be a great Question whether they would have any *Property* left? But, say my Antagonists; the *Money* of the *Publick* has been sometimes used against the *Liberties* of the *People*, and *publick Officers* have cheated the *People*. Did I deny this? Did I say that the former was not the vilest of *Crimes*, or that the latter did not deserve the severest *Punishments*? Would they infer, that the *Government* should have no *Supplies*; because the *Money* may

may be *misapplied*? Or would they have it taken for granted, that every *Man* in *Place* cheats, because *some* have *done so*. If they would, I am sure they need not talk of *begging* of *Questions*. The Truth is, there are some *Beggars* of *Places*, who, after suing, and being refus'd by the *Crown*, are now begging and praying the *Commons* of *Great-Britain* to be out of Humour, right or wrong, with all *their Servants*, that they may console themselves for the *Want* of *Places*, by providing, that no *Man* who has a *Place* shall have *Peace*.

Both the Writers, who have oblig'd the World with Remarks on my Letter, talk loudly of small venal Boroughs, which they are pleas'd to call *the rotten Part of the Constitution*; one of them is more explicite than the other: I will therefore quote what he says †, 'That Members ought to be freely elected by the People is true; but are not many Boroughs, that still retain their Right of sending Members to Parliament, gone to decay? When Trade and Manufactures sink in any Town, the People leave it of Course, and settle where they can find Employment:-----The Right of electing does not follow the People; the more the Pity.-----Several *Cornish* and *Wiltshire* Boroughs, quite deserted, send two Members each to Parliament, while *Birmingham*, *Leeds*, *Wakefield*, and many other large and populous Towns do not send one.-----A Member for the County of *York* represents Ten thousand Freeholders; yet his Vote counts for no more than that of a Man who represents twenty, (I will not say *Ex-cise-Men*,

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cise-Men,

† Common Sense, January 16, 1741:

‘ cise-Men, or Custom-House Officers) but poor
 ‘ Labourers.’

Because many People are apt to fancy there is some Weight in these Sort of Objections, I beg Leave to observe to you, Sir, that these Grievances, if they are any, flow not from Monarchs, or their Ministers, but from the Projects of Patriots in former Times; whence it follows, that there is no such Thing as adjusting the Constitution to the Good-liking of these Sort of People, who demand a Thing in one Age, and rail against it in the next. Now to make this the more clearly appear, I will examine separately the Grievs of which this Writer at present complains.

First then, He is angry that Abundance of poor Boroughs should be trusted with the Privilege of sending Members to Parliament: But does he know how this comes to pass? Heretofore Sheriffs were wont to excuse such Boroughs as they found in no Condition to send Representatives to Parliament, either through their great Poverty, which rendered it inconvenient for them to pay the Wages of the Burgeses they should have sent to Parliament, and which Cause is frequently expressed in their Returns; or else, because they wanted fit Persons resident in them to become their Representatives. This Practice continued throughout several Kings Reigns, without any Complaint from the Boroughs against the Sheriffs; though it be true, that some Statutes were made, which seem intended to have restrained this Practice. Some Patriots however, conceiving this too great a Power to be vested in any Sheriff, procured it to be wholly taken away by a Statute made

made 23. *Hen. VI*, Yet notwithstanding this Statute, it seems, that for a long Time decayed Boroughs had no Precepts sent them, insomuch that, in the Reign of *Henry VIII*. there were not above One hundred and thirty Cities and Boroughs which sent Members to Parliament. But afterwards, as Times altered, and Towns began to affect sending Members to Parliament, instead of declining it as they were wont to do, several antiquated Boroughs desired to be restored; and, upon Petition, several of them were so, by the Authority of the Crown: As for Instance, the Borough of *East-Retford*, in the County of *Nottingham*, though it had sent no Members from 9. *Edw. II*. yet it was restored to a Right of sending in 13. *Eliz.* and by this Means many decayed Boroughs re-acquired their Rights. In Process of Time the House of Commons also took upon them to restore or revive decayed Boroughs, as particularly in the 18th of *James I*. they ordered a Writ for electing Burgeses for *Ilchester*, in the County of *Somerset*, though that Borough had made but one Return from 34. *Edw. III*; and in the 15. *Charles I*. *Milburn-Port*, in the same County, recovered its Right of sending Representatives in the like Manner, though it had sent none from the Time of *Edw. I*. If therefore there be really any Hardship that a Member for the County of *York* should be equal in Parliament only to the Representative of Twenty poor Labourers, here is the Cause; and, as I said before, neither Monarchs, nor Ministers, are justly accountable for it.

Secondly, It is much lamented, that many great and opulent Market-Towns, which are Places of
great

great Trade and Consequence, should yet be without this Right of sending Members to Parliament : But to what is this due ; Heretofore, our Kings granted a Right of sending Representatives by Charter, and this gave them an Opportunity of incorporating flourishing Towns, and of rewarding such Places as had distinguished themselves in an eminent Manner by their Loyalty. This Power Queen *Elizabeth* exercised very frequently, she added upwards of a hundred Members to Parliament ; it was exerted, but more sparingly, by King *James I.* who gave this Right to Twenty seven Boroughs. King *Charles I.* added Ten, but in King *Charles* the Second's Time, the House of Commons questioned this Right, declared Elections in virtue of his Charters void, and consequently the Power of the Crown in that Respect was restrained ; which some Writers on Parliamentary Affairs have applauded as a high Act of Patriotism, and of vast Advantage to the People in general.

From all this, Sir, we ought to learn that too much Care and Caution cannot be taken in such Proceedings, as regard our Constitution. What at one Period of Time appears highly for the Interest of the People, is at another judged a Grievance ; and though nothing is held, generally speaking, more for the Advantage of the Commons, than pruning the Prerogatives of the Crown, yet we find that sometimes the People felt the Want of them more, perhaps, than the Crown itself. Instead therefore of that Eagerness and Passion, with which all popular Projects are pursued, instead of all those fiery Denunciations of Corruption and Contempt of publick

lick Spirit, against all who oppose them ; it were to be wished that our Patriots would have Recourse to milder Measures, and endeavour rather to persuade us by Arguments, than to terrify us with Threats. I protest, I am very apprehensive of the Consequences that may attend the rash Proposals and hasty Language, which are in Fashion with most of your Friends. If the Goodness of the King, and the Moderation of the Ministry, hinder any Notice from being taken of the many rank Libels daily published; yet do I not see how you will be secure from the People themselves, if your Speakers, and your Scribes go on at the Rate they do, and discover such strong Inclinations towards new modelling the Constitution according to Schemes with which hitherto but few are acquainted.

It appears clearly enough, that whenever you can carry a Place-Bill you will not stop there. The depriving most of the Boroughs in *Cornwall*, and *Wilts*, of the Power of sending Members, by way of Punishment for not sending sooner Members of your Stamp, is pretty strongly intimated, though to be sure you will deny any Intention of this Sort in the most solemn Manner, till you are in a Condition to execute it. I could also mention some other Regulations, of which, from Time to Time, your Writers have afforded us such Hints, as shew we may expect great Changes, whenever their Patrons get into Power ; but I forbear at present, because I doubt my Paper will fail me before I come to an End of what I proposed. Let me therefore conclude this Subject with putting you in mind, that if any thing of this Sort was
but

but hinted by a Servant of the Crown, or a Friend to the Administration, your Friends would not fail to raise a Hue and Cry after him, as if he had already stolen a part of the Constitution. I, for my Part know no Right by which a Patriot, supposing every Journal-Writer in the Service of your Party to be such, is at liberty to offer Amendments of our established Government to the People out of Parliament, and to provoke them to think they are ill treated, if these Proposals are not immediately considered by the Legislature. If you say that these Rights are inherent to a free People, I must answer, that they ought then very cautiously to be used, since it is certain nothing can be more dangerous to our Liberties than such Discourses. They have been dangerous, I might say, destructive to every free State which has subsisted in the World ; and I do not think that we have at present a larger Share of Virtue and publick Spirit than ever the *Athenians*, *Carthaginians*, or *Romans*, possessed. I have likewise some Doubts, whether when they perceive you are in earnest with these Schemes, the People will not think themselves more concerned in their Events, than in that of the War ; which however you would make us believe is your principal Care. Certainly these are Hints not altogether unworthy your Notice, tho' they come from a Man who pretends not either to a Right or an Ability of instructing you.

I come now to the last great Objection, which is, that some of these lesser Boroughs are under the Influence of the Administration : Upon this,

I know, your Party lay a great Stress, and to my great Surprize my Antagonists appeal to me as if I did, or might know something of this Matter; whereas I solemnly declare, there is no Man in the Kingdom more ignorant in Arts of this Nature than I am; however, the great Desire I have of contributing, so far as may be to the withdrawing you from some strange Opinions you have entertained, on what Grounds I know not, I will endeavour to shew you what, in my Judgment, hath given Rise to this Clamour, and the Reasons why I apprehend it is ill founded; and therefore no fit Cause for introducing a new Law, for restraining the Subjects of *Great Britain* in their Choice of Representatives, and creating, as it infallibly would do, separate Interests, in such as have the legislative and executive Powers intrusted with them; and this I shall do as fairly, as freely, and in as few Words as I can; which I hope will induce you to hear me with Patience at least, if not with Favour; though that indeed is a Favour I should scarce expect from any of the Party but yourself.

We are never to expect Perfection in any human Contrivance; and therefore, all that can be hoped for in a political Constitution, is this, that it should appear excellent in the Eyes of the wisest, and be allowed practicable by all; which Character is certainly due to our Constitution as it stands at present. This, however, does not hinder many different Opinions in relation thereto, nor will any Alteration we can possibly make, bring us to Unanimity in our Sentiments about it. Our Patriots themselves own, that there ever will be an Opposition;

fition; nay, they go farther, they affirm there
 ever must, and ought to be one. Hence it fol-
 lows, that if the Nation must be always split into
 two Parties, the People ought to take Care to
 keep them as equal as possible, since, which ever
 conquers, they must, most certainly, be Slaves.
 When I say this, I mean an absolute Conquest,
 for one will be always the prevailing Party; that
 is to say, while the Administration adheres to the
 Principles of natural Justice, and to the Rules pre-
 scribed by the Constitution, the Court will have
 the Ascendant; but whenever Ministers deviate
 from such a Conduct, though they may main-
 tain themselves for some small Time, yet at last
 the Scale of the Opposition will prevail, 'till new
 Weights are thrown into the other. Now each
 of these Parties makes use of all such Ways and
 Means, as the Constitution will allow for its Sup-
 port. These Methods, the Party using them, stile
Interest, and by the other Party they are called
Influence. Consider, dear Sir, with yourself, how
 your Friends and Acquaintance act with respect to
 the People in general, and to their Electors in par-
 ticular: Do they rely altogether on their known
 Characters for Wisdom, Virtue, Disinterestedness,
 Loyalty, and Publick Spirit? or, Do they not
 condescend to mix with these, Applications of a
 somewhat different Nature? Do they not address
 themselves to the Passions of some Men, to the
 Prejudices of others? Do they not constrain their
 own Humours, and go out of their own Way, that,
 by obliging Numbers, they may become popular?
 I say nothing of Arts of another Nature, such as
 giving

giving Hopes of extraordinary Munificence to a decayed Corporation, making use of the necessary Dependence of Tenants, and exerting the united Force of Family Engagements. Add to all this, the Intrigues and Cabals of a Faction thoroughly formed, or as the *all-accomplished Viscount* phrases it, a well-conducted Opposition; and I conceive you will have a pretty just Idea of the Nature and Weight of what is called the *Country-Interest*.

If therefore one should incline to allow what the Speakers and Scribes of your Party so violently contend for, that an Opposition is everlastingly necessary to preserve our Liberties; you, on the other Hand, must allow that the Government must subsist; for otherwise, I think our Liberties would be hardly worth preserving. If you will admit this, you must allow them the Means of subsisting; and these are no other, than such an Interest among the People as may, in some Measure, balance the Power of a continual Opposition. But you will immediately cry out, this is pleading for bare-faced Corruption: No, Sir, it is pleading for the Consequences of the Revolution, which have reduced the Crown, instead of depending on its high Prerogatives, to stoop so low as to depend upon the People: That is to say, to depend on their Kindness, Affection, and Good-will; whence the Necessity arises of giving Places to such as have large Properties; and give me leave to say, Sir, that this is the strongest Security, which, in the Nature of Things, the People can have, for the perpetual Preservation of their Freedom. While the Crown cannot be without Parliaments, the Administration, in whatever Hands it is, must have a strong Dependence upon the Commons,

and must cultivate a good Understanding with them, by the best Methods they can devise, and the most suitable to the Nature of our Constitution and the Circumstances of the Times. They must cherish Principles of Liberty, they must maintain the People in the Possession of it, they must have a due Regard to the Trade of the Nation at home, and to its Political Interests abroad. In fine, they must do their Duty in a great Measure ; for otherwise the Passions of a free People are not to be restrained. Great Misfortunes, real Poverty, manifest Oppressions, are Things that the *British* People will not endure, they are apt to fire at the very Sound of them ; but I believe, they are seldom apt to stir, or to hazard the great Goods that they possess, till they feel the Evils complained of. Whatever Ways, whatever Arts, whatever Means, such as are in the Administration, and their Friends use, to maintain this Interest in the Commons, and thereby to keep the Government in a steady, settled Course, the Sum of them is what you and your Friends affect to call a Ministerial Influence ; though in fact, it is Ministerial Dependence, the Chain by which they are bound to the People.

I make no Manner of doubt that you are ready to suggest a Multitude of warm, sprightly Things against what I have advanced. But Wit ought to be out of the Question here. In Matters of this Importance we must not trust to the Liveliness of the Imagination, but to Solidity of Judgment. I have represented things to you as they truly are ; you may view them in a fairer Light if you will, by considering them as they should be. But those who are to deal with Mankind, must deal with them as they

they find them, and not according to their speculative Reflections on human Nature. This all Parties will do, whether they are distinguished by the Name of Court or Country, Patriots or Placemen. What is there, dear Sir, that has given your Friends greater Offence, than the keeping up regular Forces; and yet do you not well remember the Time, when they attempted to bring over the Army, and would have made every Field-Officer a Freeholder in his Commission? What was it, not long ago, that brought over the Patrons of the Schism-Bill to such a compassionate Sense of the present Circumstance of the *Dissenters*? Will you say seriously that these hot, high-flying Gentlemen, are become better Christians, and entertain juster Notions of Peace and Charity than formerly they did? I know, Sir, you are too wise and too honest to pretend this. But why, in the Name of Wonder, will you entertain a more favourable Opinion of the Civil than of the Church Scheme, of these new-fangled Politicians? Why should you believe their Hate to Place-men better grounded than their Love to the *Dissenters*, or their respect to the Army? Believe me, Sir, they are all alike, all Refinements of factious Policy, which, under the Veil of Publick Spirit, aims at engrossing the Management of publick Affairs. I am thoroughly sensible that, whenever your Passion cools a little, and the Edge of your Passion is taken off, you will discern the Truth of what I say, and either give up the Prosecution of this sanguine Scheme, or openly carry it on as a Thing necessary for the Service of the Party, and without obtaining of which they can never hope, even after so long and fierce a Struggle, to dislodge the present Ministry, and

and come themselves into Power. Such a Conduct, as it would be more candid, so I do not think it would be less cunning, than that which is now pursued; since it is certain, that Numbers begin to open their Eyes, and to exercise the Privilege of *Common Sense* at the Expence of the *Craftsman*.

Farewel, Sir, I have done for ever with this Dispute; your Myrmidons may treat me as they think fit, they may dress me in black or in red, put on a band of this kind or of that, call me Scribbler, Sycophant, Mercenary, while they themselves much better deserve those Appellations. I shall rest satisfied that I have drawn the Curtain from before this *Raree-Shew*, and shewn the Faction's beloved *Scheme* in its *true Light*. It was due to Truth, to Justice, to the People; they have been long enough made the Tools of a self-interested Party, who mean Places while they rail at them, and who covet Power, though they would be thought to despise it. The Nation at this critical Conjunction hath other Things to mind than their Chimerical Projects; we are perhaps within a few Months of appearing in a more glorious Light than any other People in *Europe*; and I hope, we shall have more Wisdom than to neglect the Opportunity of fixing our Power and Reputation for ever, for the Sake of gratifying the longing Desires of a few Men amongst us, who cannot be quiet in a *private Condition*, nor would let us be long so, if they were in *publick Stations*. Pardon this second printed Address, because it was necessary; and do not, on account of my writing freely, deny me the Honour of subscribing myself,

Your affectionate Friend, and
obedient humble Servant,